

CHAPTER 95-02-04 SUPPLEMENTAL PROGRAM INFORMATION

Section

95-02-04-01

Supplemental Program Information

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1. **Funding level.** Proposals are not limited to a specific dollar amount. However, the commission's grant moneys are finite. The commission reserves the right to increase or decrease the amount of requested funding based on its findings and on its level of available funds. Requests must be justified with respect to the scope of the research.
2. **Funding period.** Up to one million dollars will be available for utilization and marketing research grants for the period ending June 30, 1991. Proposals may be submitted anytime within the biennium. Deadline dates for submission are: July first, October first, January first, and April first. Reviews and grants awards will be made on a quarterly basis. With respect to the funding criteria, multiyear research requests will be accepted and funded, subject to annual review and funding renewal.
3. **Multiple proposals.** Multiple proposals from the same applicant will be considered if each proposal covers distinctly different research projects. Proposals which have been submitted under other state grant programs may be considered simultaneously by the commission.

Proposals which contain matching funds from other grant programs must demonstrate contingent approval from appropriate sources prior to release of funds by the commission.

4. **Evaluation process.** Initial screening for completeness and eligibility of all proposals will be completed upon receipt by the commission staff. Should revisions or corrections be deemed necessary, the applicant may withdraw and resubmit without penalty or delay.

Each proposal will be considered individually, and according to the stated criteria, by the entire commission. A decision to accept, modify, or deny each will then be made, by majority vote of at least a quorum of the commission.

Should the process produce a funding level less than the amount requested in the proposal, the commission staff will confer with the applicant to determine whether the amount recommended would alter the project's feasibility.

By law, no member of the commission may participate in, or vote on, a decision of the commission relating to an organization in which that individual has a direct personal financial interest.

5. **Grant administration and reporting.** Successful applicants shall adhere to the conditions outlined in this article and North Dakota law. Following approval of the grant award, a formal grant contract will be executed between the agricultural products utilization commission and the grantee. This agreement will specify the agreed upon objectives, tasks to be performed, time line and budget, fund release schedule, and any other conditions specific to the individual proposal.

Under the terms of all grant contracts, the grantee will be required to submit to the commission periodic interim reports outlining progress and both time line and budget compliance. In most cases, the entire grant amount will not be released at the time of the commission's decision. In such instances, funds release will be tied to the grant contract, and any insufficiencies with the contract may result in withholding of further funding.

Grantees will be required to submit a final written report describing the work performed and the results obtained, prior to final release of grant funds. This report must be supplemented by a financial report of all expenses actually incurred and income generated by the project.

6. **Audit.** To protect the investment of the commission and of the people of North Dakota, all financial documents, books, receipts, orders, expenditures, electronic data and accounting procedures, and practices of the grantee are subject to examination by or for the commission at any time for three years following the completion of the project.
7. **Eligible uses of funds.** Agricultural products utilization commission grant funds may be used to pay salaries, buy supplies, and cover day-to-day expenses of the project.
8. **Confidentiality.** To the extent allowed under North Dakota law, the commission may limit the dissemination of information concerning a proposal, but in any event, does not assume any liability for inadvertent disclosure.
9. **Ownership.** Subject to the policies, if any, of participating public programs and entities, rights to use products, processes, or services developed under this grant program will remain with the grantee.

Subject to the same policies, the ownership and all rights to project outcomes may revert to the commission if the grantee or assignee fails to market the product, process, or service in accordance with individually negotiated funding contracts. In such cases, the commission may provide notice and the opportunity to others to assume control of research projects. In these cases, priority will be given to any licensee under such property or others who benefit North Dakota commercially, with first priority being given to small firms in nonurban areas of the state.

10. **Royalty agreements.** In certain cases, the commission may receive royalties on the sale or lease of any product, process, or service developed under a commission grant. Royalty agreements will be negotiated at the time of the grant award and will be structured so that the commission may recover at least a portion of its investment of public funds. Repaid funds will be used to make new investments in other agricultural products utilization research projects.

History: Effective June 1, 1990.

General Authority: NDCC 28-32-02

Law Implemented: NDCC 4-14.1-02